

IN THE TEXAS COURT OF CRIMINAL APPEALS

FILED  
COURT OF CRIMINAL APPEALS  
4/20/2018  
DEANA WILLIAMSON, CLERK

JOSHUA GOLLIDAY  
APPELLANT

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§

VS.

NO. PD-0812-17

THE STATE OF TEXAS  
APPELLEE

**FIRST MOTION FOR EXTENSION OF TIME  
FOR FILING OF APPELLANT'S BRIEF ON THE MERITS**

TO THE HONORABLE COURT OF CRIMINAL APPEALS:

The Appellant requests that the Court grant an extension of time for the filing of Appellant's merit brief in this case. The following allegations are made in support of this motion:

I.

The court below is the Second Court of Appeals. The style and number of interim appellate case is *Joshua Golliday v. State*, No. 02-15-00416CR. The en banc Fort Worth court reversed the conviction on July 27, 2017. The conviction arose out of a jury trial in the 371<sup>st</sup> Judicial District Court of Tarrant County, Hon. Vicki Isaaks & Mollee Westfall, presiding. The style and number of the case in the trial court is *The State of Texas v. Joshua Golliday*, Cause No. 1379815D.

## II.

Appellant was charged with Sexual Assault. CR. I-6. Appellant pled not guilty. CR. I-113. Appellant was found guilty by the jury. CR. I-113. Appellant was sentenced to two years, suspended. CR. I-113. Judgment was entered on October 22, 2015. CR. I-113.

## III.

Appellant filed his notice of appeal on October 30, 2015. CR. I-122. No motion for new trial was filed. Appellant is not incarcerated.

## IV.

The current deadline for filing Appellant's Brief on the Merits is April 23, 2018.

## V.

No extension has previously been granted regarding Appellant's Brief on the Merits.

## VI.

Oral argument was not granted. The submission date in this case is not yet set. Therefore, this requested extension will not delay submission.

## VII.

The extension is not requested for purpose of delay, but rather to adequately brief the legal issues.

## VIII.

On March 7, 2018, the Court of Criminal Appeals granted the State an extension to March 26, 2018. On March 23, 2018, the State filed its brief containing 10,150 words. Counsel is working on Appellant's brief, but due to his workload in the criminal courts of Tarrant County and other matters related to his law practice, counsel has not yet completed Appellant's brief.

## IX

The State had a total of 47 days to prepare the State's brief. Appellant is requesting the same 47 days to complete Appellant's brief and is asking that the new deadline be May 10, 2018, in which to file Appellant's brief on the merits.

WHEREFORE, PREMISES CONSIDERED, Appellant prays that the Court grant this First Motion for Extension of Time for Filing of Appellant's Merit Brief and extend the time for filing of Appellant's merit brief for 17 days until Thursday, May 10, 2018.

Respectfully submitted,

/s/ Don Hase

DON HASE

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ATTORNEY FOR APPELLANT

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing First Motion For Extension Of Time For Filing Of Appellant's Brief On The Merits was delivered electronically to the Post-Conviction Division of the Tarrant County District Attorney's Office, Fort Worth, Texas and the State Prosecuting Attorney, on this the 19<sup>th</sup> day of April, 2018.

/s/ Don Hase

DON HASE

Attorney for Defendant